

Legislature has a lot to do and not a lot of time

Yakima Herald-Republic Editorial Board

Jan 9, 2016

The Washington Legislature convenes Monday for what is scheduled to be a short 60-day session — short in time, but long in issues.

It was only a little over six months ago that lawmakers adjourned after a scheduled 105-day regular session and three unscheduled special sessions; it wasn't pretty, but the politically split Legislature did come together to make some progress on K-12 education and real progress on higher education funding, transportation and regulation of oil trains.

In this year's session, Republicans and Democrats will need a repeat of last year's cooperation to keep the state moving forward. What follows is a list of many of the challenges awaiting lawmakers:

- **SCHOOL FUNDING:** Last year's overhanging, sometimes overwhelming, issue is also this year's: Funding K-12 education to meet the tenets of a state Supreme Court ruling. Lawmakers last year increased spending by about \$1.3 billion, and approved class-size reductions in lower grades and all-day kindergarten. But justices weren't impressed, saying the funding plan fell short, and fined the state \$100,000 a day until the Legislature can come up with a fix.

Legislative leaders say they are making progress. Last week at The Associated Press Legislative Preview, lawmakers said they were moving forward on reform, though a major sticking point is how to replace the current levy equalization system without penalizing school districts. Levy equalization sends state money to districts in areas like the Yakima Valley, where property-tax values, assessments and revenues are lower than in other parts of the state.

The whole issue is complicated and sensitive, and many are predicting that resolution won't come until the 2017 session. The state has until 2018 to satisfy the Supreme Court's ruling. Meanwhile, the fines are to be held in a separate education account until the issue is resolved.

- **CHARTER SCHOOLS:** Meanwhile, in response to another state Supreme Court ruling, the Legislature needs to come up with a fix to the state's charter schools law, which voters narrowly approved by ballot initiative in 2012. The court ruled charter schools aren't "common" schools and are not constitutionally entitled to public school money. The court said charter schools aren't common schools because their boards are appointed rather than elected.

At least two bills have been introduced; one to address the funding question and another to fix the structure of the boards. Charter schools operate in more than 40 states but have had a tough time getting a foothold in Washington. While they are not a panacea and require strong oversight, they can provide a laboratory for educational innovation, and lawmakers need to find a way to keep them viable.

- **STATE AUDITOR GONE AWRY:** The Legislature also must deal with the bizarre case of Auditor Troy Kelley, a Democrat who was elected in 2012. Kelley faces allegations of serious financial wrongdoing in connection with mortgage title services companies he previously ran; a 17-count federal indictment alleges tax evasion and money laundering.

After stepping aside for seven months, Kelley came back to work last month, just one day after a bipartisan group of legislators announced an impeachment resolution against him. It would work best if Kelley simply resigns, but that doesn't appear to be in the cards. So the Legislature must proceed with the impeachment resolution.

- **REAL ID:** The Legislature must meet a federal Department of Homeland Security order regarding this state's driver's licenses. In October, the agency sent a letter to the state Department of Licensing stating that Washington has been denied an extension from complying with heightened federal requirements for state driver's licenses and identification cards.

The federal government is moving ahead with its REAL ID Act, which was approved in 2005 and requires proof of U.S. citizenship or proof of lawful status in this country for a license that meets federal standards. The standards require proof of legal residency in the United States for the licenses and IDs in order for them to be used for official federal purposes — that includes boarding commercial aircraft or entering a federal building.

Gov. Jay Inslee last year offered a proposal to the Legislature that would deal with the issue through a two-tiered licensing system. That proposal didn't make it through the Legislature, and lawmakers need to act this year.

- **STATE PATROL:** The Legislature also must start dealing with the findings of a report it commissioned about the Washington State Patrol. The report found many troopers plan to leave soon over morale and pay concerns; more than half of the almost 500 troopers and sergeants who responded said the patrol doesn't value their opinions. They also cited low pay compared to other law-enforcement agencies.
- **SUPPLEMENTAL BUDGET:** Almost lost in all this is that the legislators will need to agree on a supplemental budget, which makes adjustments to the \$38 billion biennial budget that they approved last year.

Adjournment is scheduled for early March. Given a lengthy list of sticky issues, it's going to take a lot of cooperation to meet that deadline. Don't be surprised if this short session goes on longer than planned.

- Members of the Yakima Herald-Republic editorial board are Sharon J. Prill, Bob Crider, Frank Purdy and Karen Troianello.